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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/816,049	03/31/2004	John W. Barrus	74451P161 9612		
8791 7590 03/13/2007 BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030			EXAMINER		
			TRAN, QUOC A		
			ART UNIT	PAPER NUMBER	
			2176		
				DELUCENCACOE	
			MAIL DATE	DELIVERY MODE	
			03/13/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

## Advisory Action Before the Filing of an Appeal Brief

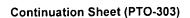
Application No.	Applicant(s)	Applicant(s)	
10/816,049	BARRUS, JOHN W.	BARRUS, JOHN W.	
Examiner	Art Unit		
Tran A. Quoc	2176		

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The MAILING DATE of this communication appe	ars on the cover sheet with the o	orrespondence add	ress
THE REPLY FILED 05 March 2007 FAILS TO PLACE THIS AP	PLICATION IN CONDITION FOR	ALLOWANCE.	
1.  The reply was filed after a final rejection, but prior to or or this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a Not a Request for Continued Examination (RCE) in compliant time periods:	n the same day as filing a Notice of wing replies: (1) an amendment, aff stice of Appeal (with appeal fee) in o	Appeal. To avoid aba fidavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
a) $\square$ The period for reply expires $3$ months from the mailing date	e of the final rejection.		
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	ater than SIX MONTHS from the mailin (b). ONLY CHECK BOX (b) WHEN THI	g date of the final rejecti	on.
Extensions of time may be obtained under 37 CFR 1.136(a). The date nave been filed is the date for purposes of determining the period of exunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office laternay reduce any earned patent term adjustment. See 37 CFR 1.704(b)	on which the petition under 37 CFR 1. tension and the corresponding amount shortened statutory period for reply orig r than three months after the mailing da	of the fee. The approprinally set in the final Offi	iate extension fee ice action; or (2) as
NOTICE OF APPEAL  2. The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exte a Notice of Appeal has been filed, any reply must be filed AMENDMENTS	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of the	
3. X The proposed amendment(s) filed after a final rejection,	but prior to the date of filing a brief	will not be entered b	ecause
(a) ☐ They raise new issues that would require further co			ccause
(b) They raise the issue of new matter (see NOTE below	· · · · · · · · · · · · · · · · · · ·		
(c) They are not deemed to place the application in be appeal; and/or		ducing or simplifying	the issues for
(d) They present additional claims without canceling a	corresponding number of finally rej	ected claims.	
NOTE: See Continuation Sheet. (See 37 CFR 1.1	16 and 41.33(a)).		
4. $\square$ The amendments are not in compliance with 37 CFR 1.1	21. See attached Notice of Non-Co	mpliant Amendment	(PTOL-324).
<ol><li>Applicant's reply has overcome the following rejection(s)</li></ol>	):		
<ol> <li>Newly proposed or amended claim(s) would be a non-allowable claim(s).</li> </ol>	·	·	-
7.  For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows:		ill be entered and an e	explanation of
Claim(s) allowed:			
Claim(s) objected to:			
Claim(s) rejected: <u>1-77</u> . Claim(s) withdrawn from consideration:			
AFFIDAVIT OR OTHER EVIDENCE			
8. The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e).			
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under appe	al and/or appellant fa	ils to provide a
10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	on of the status of the claims after e	ntry is below or attac	ned.
11.   ☐ The request for reconsideration has been consideration because:	lered but does NOT place the appli	cation in condition for	allowance
See Continuation Sheet.	(DTO (OD (O))		
<ul><li>12. ☐ Note the attached Information Disclosure Statement(s).</li><li>13. ☐ Other:</li></ul>	(PTO/SB/08) Paper No(s)		
	11 dla da .	Out - A T	
•	Hermon Heather R. Herndon	Quoc A. Tran Patent Examiner 2	176

Supervisory Patent Examiner

Technology Center 2100

03-12-2007



Continuation of 3. NOTE: Applicant amended independent claims 1, 33, 34, and 61 to include new issue (i.e. performing the at least one action on the at least one document in response to the identifying the at least one action and the at least one document.) which changed the scope of the claimed invention as whole, which could further required search/or consideration and because no amendment other than canceling claims, where such cancellation does not affect the scope of any other pending claim in the proceeding, See MPEP 714.12 [R-3].

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments filed after the final rejection on 03-05-2007 have been fully considered but they are not persuasive. On pages 16-19, Applicant's remarks revolving the new issues set forth above in item (3), which change the scope of the claimed invention as whole, which could further required search/or consideration.